

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : To Be Assigned Confirmation No. : TBA  
First Named Inventor : Ronald H. Eberl  
Filed : December 23, 2005  
TC/A.U. : To Be Assigned  
Examiner : To Be Assigned  
Docket No. : 101795.56948US  
Customer No. : 23911  
Title : Information System

**PETITION FOR REVIVAL OF UNINTENTIONALLY  
ABANDONED APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

01/03/2006 LLANDGRA 00000024 10562230

Sir:

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Applicant respectfully petitions for the revival of the above-referenced patent application, claiming priority of the PCT Application, and for the granting of the priority of October 7, 2000.

A PCT application was filed on October 7, 2000, designating the United States. Applicant unintentionally failed to enter the national phase by the 30th month. It is therefore stated that the abandonment of the application was unintentional.

At the time of applicant's co-invention of the subject matter reflected in the present application, several of the co-inventors were employees of Physoptics Opto-Electronic GmbH. By virtue of German employee inventor's law, Physoptics took over their right to this application worldwide. Physoptics later went into

bankruptcy and their trustee refused to release their right to this application and refused to initiate the US national phase. Applicant filed a lawsuit in November of 2003 against the trustee regarding abuse of German employee inventor's law as well as German Patent Law with respect to this invention and others. An agreement was reach releasing all rights to this and numerous other applications.. Because all rights to this application were not held by Physoptics, it was necessary to negotiate with the other owners regarding prosecution of the application which was not completed until near the end of 2004.

After the agreement was reached the burden of reconstructing this and other files including the consultation with the others involved in this application as well as attempting to save the entire portfolio to the fullest degree possible and the necessary time to arrange financing and manage by employment led to further delays.

The following attached documents comprise a complete response. These include the PCT application and the appropriate PCT filing fees.

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional.

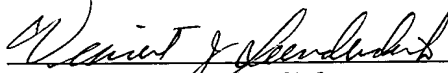
The petition fee of \$750, under 37 C.F.R. § 1.17(m), is submitted herewith.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 05-1323 (Docket #101795.56948US).

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #101795.56948US).

Respectfully submitted,

December 23, 2005

  
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